

**HON'BLE SHRI G.S.SINGHVI, THE CHIEF JUSTICE  
AND  
HON'BLE SHRI JUSTICE G.V.SEETHAPATHY**

**WRIT PETITION NO.13464 OF 2006**

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Between:  
Talamanchi Ramaiah

**..... Petitioner**

AND

The Election Commission,  
Rep. by its Commissioner, Hyderabad,  
& others.

**.....Respondents**

**:: O R D E R ::**

Counsel for the Petitioner : Shri T.C.Krishnan  
Counsel for Respondent No. 1 : Shri V.V. Prabhakar Rao  
Counsel for Respondent Nos.2 to 4: Government Pleader for  
Revenue  
Counsel for Respondent No.5 : Government Pleader for  
Panchayat Raj

**Dated: 27.07.2006**

**Per G.S.Singhvi, CJ**

On 25.07.2006, a batch of 58 cases including this petition was listed before the Court. At the commencement of hearing, Shri V.V.Prabhakar Rao, Advocate representing Andhra Pradesh State Election Commission made a statement that the common prayer made in all the cases is for issue of a direction to the respondents to decide their applications for inclusion of name in the voters' list and that the authorities concerned will deal with and decide such applications within a period of 48 hours and the same will be communicated to the concerned applicant.

In view of the statement of Shri V.V.Prabhakar Rao, all the petitions were disposed of by a common order which was dictated in the open court.

In the evening, the Court Master informed us that out of batch of 58 petitions, 13 petitions contain different prayers. He pointed out that in some of the cases, prayer has been made for inclusion in and exclusion from the voters' list, and in some cases prayer has been made for issue of direction to the authority concerned to accept nomination paper. In one case, prayer is to quash the reservation of the office of Sarpanch.

In view of the submissions made by the Court Master, we directed that those 13 petitions shall not be included in the order passed in the open Court on 25.07.2006 and the same be listed on 27.07.2006 under the caption 'for being mentioned'. This is the reason why this petition has been listed today under that caption.

In this petition, the petitioner has made an innocuous and omnibus prayer for inclusion of names of unknown number of persons in the voters' list of Koverapalem Village, TP Gudur Mandal, Nellore District and also restrain the respondents from conducting election for Koverapalem Gram Panchayat.

We have heard learned counsel for the parties and perused the record. Although some of the documents filed by the petitioner are in vernacular and one of us (the Chief Justice) is not conversant with Telugu language, with the help of the other member of the Bench (G.V. Seethapathy,J), both of us have been able to scrutinize the averments contained in the affidavit filed in support of the petition with reference to the annexed documents. In our opinion, the writ petition is liable to be dismissed on the short ground that the petitioner does not have locus to seek direction for inclusion of the names of the other persons in the voters' list. It is neither the pleaded case of the petitioner nor any material has been placed on the record of the writ petition to show that the persons whose names are sought to be included in the voters' list are, on account of illiteracy, ignorance, poverty or physical unfitness, handicapped from approaching the Court for vindication of their rights. Each person whose name is said to have been arbitrarily excluded from the electoral roll of Koverapalem Village has the right to seek intervention of the Court and make a prayer for issue of a direction to include his/her name in the voters' list. However, the petitioner, who does not have any grievance in the matter of inclusion of his name in the voters' list, cannot be permitted to represent the cause of other unknown persons.

With the above observations, the writ petition is dismissed.

As a sequel to dismissal of the writ petition, W.P.M.P.No.16736 of 2006 filed by the petitioner for issue of interim direction is also dismissed.

**G.S.SINGHVI, CJ**

**G.V.SEETHAPATHY, J**

27.07.2006

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